

condemnation of 6 bags of wahoo bark, at Cincinnati, Ohio, consigned on July 26, 1924, by L. Garnett, from Uz, Ky., alleging that the article had been shipped from Uz, Ky., in interstate commerce into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of the stem bark of the cucumber tree (*Magnolia tripetala* L.).

Adulteration of the article was alleged in the libel for the reason that it was sold as wahoo bark, a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity of the official drug, and for the further reason that its purity fell below the standard or quality under which it was sold.

Misbranding was alleged for the reason that the article was offered for sale under the name of another article, namely, wahoo bark.

On February 18, 1925, no claimant having appeared for the property, judgment of the court was entered, finding the product misbranded and ordering its condemnation, forfeiture, and destruction.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13241. Misbranding of A. D. S. special kidney and bladder pills. U. S. v. 132 Dozen Packages of A. D. S. Special Kidney and Bladder Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19447. I. S. No. 19094-v. S. No. C-4590.)

On December 29, 1924, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 132 dozen packages of A. D. S. special kidney and bladder pills, at Chicago, Ill., alleging that the article had been shipped by the American Druggists Syndicate, from Long Island City, N. Y., November 20, 1924, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted of hexamethylenetetramine and extracts of plant drugs, including small quantities of resins and volatile oils mixed with magnesium carbonate, coated with sugar and calcium carbonate, and colored blue on the surface.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the labeling of the said article, regarding its curative and therapeutic effects, "Kidney And Bladder Pill. A Treatment Indicated In Simple Inflammatory Conditions Of The Kidneys And Bladder, Bladder Irritation, Non-Retention of Urine, Scanty or Scalding Urine," were false and fraudulent, in that the said statements represented that the article was effective as a remedy for the several diseases, ailments, and afflictions mentioned therein, whereas it contained no ingredients or medicinal agents effective for the purposes claimed.

On April 4, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13242. Adulteration of canned sardines. U. S. v. 44 Dozen Cans of Southern Brand Smoked Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19127. I. S. No. 8765-v. S. No. C-4528.)

On November 5, 1924, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 44 dozen cans of smoked sardines, at Memphis, Tenn., alleging that the article had been shipped by the Carter Grocery Co., from Gainesville, Ga., on or about September 24, 1924, and transported from the State of Georgia into the State of Tennessee, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Southern Brand Smoked Sardines Packed By California Smoked Sea Products Co. Los Angeles, Cal. Net Weight 13 Oz."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On February 16, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13243. Adulteration and misbranding of canned tomatoes. U. S. v. 992 Cartons of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 19382. I. S. No. 9613-v. S. No. C-4046.)

On December 15, 1924, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 992 cartons of canned tomatoes, at Canton, Ohio, alleging that the article had been shipped by the H. J. McGrath Co., Baltimore, Md., on or about October 13, 1924, and transported from the State of Maryland into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "McGrath's Tomatoes Champion Brand Packed by The H. J. McGrath Co. Baltimore, Md. U. S. A. Contents 1 Lb. 3 Oz."

Adulteration of the article was alleged in the libel for the reason that a substance, water, had been substituted wholly or in part for the said article and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the label bore the statement "Contents 1 Lb. 3 Oz.," which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On or about April 2, 1925, the H. J. McGrath Co., Baltimore, Md., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act, conditioned in part that it be relabeled in compliance with the law.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13244. Adulteration of canned salmon. U. S. v. 998 Cases of Salmon. Product ordered released under bond to be used as fertilizer. (F. & D. No. 15925. I. S. No. 935-t. S. No. C-3387.)

On November 22, 1921, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 998 cases of salmon, at Athens, Tenn., alleging that the article had been shipped by W. R. Beatty & Co., Vancouver, B. C., Canada, on September 22, 1921, and transported in interstate commerce, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Kay-Square Brand Select Pink Salmon Inspected Kenai Packing Co. Seattle, Wash.," (case) "4 Dozen 1 Pound Talls Pink Salmon, Packed by Kenai Packing Co., Drier Bay, Alaska."

Adulteration of the article was alleged in the libel for the reason that it consisted in large part, if not wholly, of a filthy, decomposed, and putrid animal substance, unfit for human consumption.

On March 16, 1925, the Jim Anderson Co., Knoxville, Tenn., claimant, having represented to the court that it was impossible to recondition the product to the satisfaction of this department so that it would be fit for consumption as food, judgment of the court was entered, ordering that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, to be sold or disposed of as fertilizer.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13245. Adulteration of walnuts in shell. U. S. v. 64 Bags of Walnuts in Shell. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19095. I. S. No. 13172-v. S. No. E-4984.)

On October 29, 1924, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 64 bags of walnuts in shell, remaining in the